IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

Con.Case(C).No. 1533 of 2006(S)

: PETITIONR:

SATHYANESAN S/O.DEVADASAN, AGED 38 YEARS
RESIDING AT SATHYA BHAVAN, VATTAVILA, PUNALAL,
PERUMKULAM VILLAGE.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)

RESPONDENTS:

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1. BHUVANEDRAN S/O.DAMODHARAN PILLAI,
AGED 45 YEARS, RESIDING AT THUSHARA, PUNALAL,
PERUMKULAM VILLAGE, NEDUMANGAD TALUK.

2. SRI.M.RAJENDRAN S/O.MADHAVAN PILLAI,
AGED 48 YEARS, PRESIDENT, VELLANADU GRAMA
PANCHAYATH RESIDING AT, BHAGAVATHY VILASOM,
VELLANAD, NEDUMNAGAD TALUK,
THIRUVANANTHAPURAM.

3. SRI.MANOHARAN, FATHER'S NAME NOT KNOWN,
AGED 48 YEARS, SECRETARY VELLANAD GRAMA
PANCHAYATH, THIRUVANANTHAPURAM.

4. SRI.VASUDEVAN PILLAI,
S/O.VASUDEVAAN PILLAI, AGED 38 YEARS,
U.D.CLERK, VELLANAD GRAMA PANCHAYATH,
THIRUVANANTHAPURAM.

BY

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

C.C.C.NO. 1533 OF 2006

DATED THIS THE 8th DAY OF DECEMBER, 2006

ORDER

As per judgment dated, 1.12.06, this Court directed Munsiff, Nedumagnad to issue carbon copy of the order in O.P.(Election) 9/05 applied for by petitioner within seven days from the date of receipt of that order, as the petitioner alleged that inspite of the application filed on the date of pronouncing of the judgment, he was not supplied with the order and hence he could not prefer an appeal and get an order of stay from the appellate Court. This Court also stayed the operation of the order of the Munsiff with regard to the declaration of the election of petitioner in the O.P.(Ele), for ten days to enable petitioner to get appropriate order from the appellate Court.

2. This petition is filed contending that after intimation of the judgment of this Court, Petitioner in O.P.(Ele.) administered oath as a member and therefore contempt was committed and action has to be taken. Along with petition, petitioner filed a communication received from the Secretary, Panchayat which shows that the oath of affirmation of petitioner in the O.P.(Election) was administered at 10.25 A.M on 1.12.2006.

3. Arguments of learned Counsel appearing for petitioner is that though in the records it has been shown the time as 10.25 A.M., infact, the oath was administered after 1.15 P.M. and therefore contempt was committed. On going through the records, I do not find any reason to initiate contempt proceedings as sought for.

Petition is dismissed.

M.SASIDHARAN NAMBIAR,JUDGE

Acd